

Message Text

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FM AMEMBASSY LIMA
TO SECSTATE WASHDC IMMEDIATE 8305
INFO AMEMBASSY VIENNA IMMEDIATE
AMEMBASSY BUENOS AIRES IMMEDIATE

C O N F I D E N T I A L SECTION 1 OF 3 LIMA 0465

E.O. 11652: GDS
TAGS: PARM TECH MNUC IAEA AR PE
SUBJ: U.S. FUEL FOR ARGENTINA REACTOR LOAN TO PERU;
ARGENTINE/PERUVIAN DRAFT QUADRIpartite AGREEMENT

REF: LIMA 342

1. THIS TELEGRAM TRANSMITS ARGENTINE/PERUVIAN DRAFT OF QUADRIpartite AGREEMENT WHICH EMBASSY HAS RECEIVED ON CONFIDENTIAL BASIS. NEW DRAFT AMENDS CONSIDERABLY US DRAFT (77 STATE 310922), REMOVING REACTOR FROM AGREEMENT'S COVERAGE AND CUTTING BACK ON ROLE OF IAEA. WE HAVE ALSO RECEIVED SPANISH LANGUAGE TEXT OF DRAFT US/PERU EXCHANGE OF NOTES, APPARENTLY DRAFTED BY PERUVIANS. THIS DRAFT IS ALSO CHANGED CONSIDERABLY. ACCORDING TO FOREIGN MINISTRY NUCLEAR ENERGY OFFICER, MAX DE LA FUENTE, GOP FELT US DRAFT NOTE UNDULY RESTRICTED PERU'S FUTURE NUCLEAR ENERGY DEVELOPMENT. INFORMAL ENGLISH LANGUAGE TRANSLATION OF DRAFT NOTE IS TRANSMITTED AFTER TEXT OF AGREEMENT.

2. DE LA FUENTE SAID THAT DRAFT TEXTS WILL BE POUCHED
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TO PERU'S VIENNA MISSION AND WASHINGTON EMBASSY JAN. 17 AND JAN. 19, RESPECTIVELY. WE ARE TRANSMITTING TEXTS IN ORDER TO GIVE DEPARTMENT AND USIAEA HEAD START IN COMPARING DRAFTS WITH US DRAFTS. IPEN SOURCE WHO PROVIDED TEXTS TO US REQUESTED THAT WE NOT INFORM PERUVIANS OR ARGENTINES THAT USG HAS THESE DRAFTS UNTIL AFTER THEIR AMBASSADORS IN WASHINGTON AND VIENNA RECEIVE THEM. FYI

DE LA FUENTE REFUSED TO PROVIDE US WITH TEXTS FOR FEAR THAT PERUVIAN AMBASSADORS IN VIENNA AND WASHINGTON WOULD DISCOVER THAT THEIR US COUNTERPARTS ALREADY HAD THE TEXTS. END FYI. THEREFORE, WE WOULD APPRECIATE IT IF DEPARTMENT AND INFO ADDRESSEES WOULD NOT INFORM PERUVIAN AND ARGENTINE OFFICIALS OF RECEIPT OF DRAFTS UNTIL AFTER PERUVIANS FORMALLY PROVIDE USG WITH TEXTS.

3. BEGIN TEXT

DRAFT AGREEMENT BETWEEN THE INTERNATIONAL ATOMIC ENERGY AGENCY AND THE GOVERNMENTS OF THE UNITED STATES OF AMERICA, ARGENTINA AND PERU CONCERNING THE TRANSFER OF ENRICHED URANIUM FOR A ZERO POWER RESEARCH REACTOR

1. WHEREAS, THE GOVERNMENT OF PERU (HEREINAFTER CALLED "PERU") HAS MADE ARRANGEMENTS WITH THE GOVERNMENT OF ARGENTINA (HEREINAFTER CALLED - "ARGENTINA") FOR THE TRANSFER OF A ZERO POWER RESEARCH REACTOR AND THE FUEL ELEMENTS FOR SUCH REACTOR;

2. WHEREAS, UNDER THE AGREEMENT FOR COOPERATION BETWEEN THE UNITED STATES AND ARGENTINA CONCLUDED ON 25 JUNE, 1969 (HEREINAFTER CALLED "UNITED STATES-ARGENTINA AGREEMENT FOR CP034-589,") THE UNITED STATES SOLD ENRICHED URANIUM TO ARGENTINA, SUBJECT TO THE RIGHT TO APPROVAL
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OVER ITS RETRANSFER BEYOND THE JURISDICTION OF ARGENTINA;

3. WHEREAS, THE FUEL ELEMENTS ARGENTINA INTENDS TO PROVIDE FOR THE SAID REACTOR HAVE BEEN MANUFACTURED WITH ENRICHED URANIUM OF UNITED STATES ORIGIN BOUGHT BY ARGENTINA UNDER THE ABOVE MENTIONED UNITED STATES-ARGENTINA AGREEMENT FOR COOPERATION;

4. WHEREAS, PERU CONCLUDED WITH THE AGENCY AN AGREEMENT FOR THE APPLICATION OF SAFEGUARDS (HEREINAFTER CALLED "THE TREATY SAFEGUARDS-AGREEMENT") IN CONNECTION WITH THE TREATY OF NON-PROLIFERATION OF NUCLEAR WEAPONS (HEREINAFTER CALLED "TREATY");

5. WHEREAS, ARGENTINA, PERU, AND THE UNITED STATES REAFFIRM SUPPORT TO THE STATUTE OF THE AGENCY, TO ENSURE THAT THE INTERNATIONAL DEVELOPMENT AND USE OF NUCLEAR ENERGY FOR PEACEFUL PURPOSES IS CARRIED OUT UNDER ARRANGEMENTS WHICH WILL FURTHER NON MILITARY PURPOSES;

6. NOW THEREFORE, THE AGENCY, ARGENTINA, PERU, AND THE

UNITED STATES HEREBY AGREE AS FOLLOWS:

ARTICLE I: SCOPE OF THE AGREEMENT

1. THE OBJECT TO WHICH THIS AGREEMENT RELATES IS THE TRANSFER OF SPECIAL FISSIONABLE MATERIAL CONTAINED IN THE FUEL ELEMENTS REQUIRED FOR THE ESTABLISHMENT AT LIMA (PERU) OF A ZERO POWER RESEARCH REACTOR, (HEREINAFTER CALLED "SUPPLIED REACTOR") TO BE OPERATED BY THE PERUVIAN NUCLEAR ENERGY INSTITUTE (IPEN).

2. ALL ARRANGEMENTS FOR THE TRANSFER, DELIVERY AND INSTALLATION OF THE SUPPLIED REACTOR SHALL BE MADE BETWEEN ARGENTINA AND PERU.

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3. EXCEPT AS SPECIFIED IN THIS AGREEMENT, THE UNITED STATES DOES NOT ASSUME ANY OBLIGATIONS OR RESPONSIBILITIES ARISING OUT OF THE ARRANGEMENTS MADE BY ARGENTINA AND PERU INsofar AS THIS AGREEMENT IS CONCERNED. PERU SHALL ASSUME FULL RESPONSIBILITY FOR ANY CLAIMS ARISING OUT OF ITS ACTIVITIES IN CONNECTION WITH THE SUPPLIED MATERIAL REFERRED TO IN PARAGRAPH 1, OF ARTICLE II.

ARTICLE II: SUPPLY OF ENRICHED URANIUM

1. ARGENTINA SHALL, SUBJECT TO APPROVAL BY THE UNITED STATES, TRANSFER TO PERU ON A LOAN BASIS, APPROXIMATELY 14, 785.9 GRAMS OF URANIUM OF UNITED STATES ORIGIN ENRICHED TO APPROXIMATELY 20.09 PERCENT BY WEIGHT IN THE ISOTOPE 235, CONTAINED IN FUEL ELEMENTS FOR THE SUPPLIED REACTOR, (HEREINAFTER CALLED "SUPPLIED MATERIAL").

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2. THE UNITED STATES HEREBY APPROVES THE TRANSFER DESCRIBED IN PARAGRPH I, (SIC) PURSUANT TO THE UNITED STATES-ARGENTINA AGREEMENT FOR COOPERATION.

3. ALL ARRANGEMENTS FOR THE TRANSFER OF THE SUPPLIED MATERIAL LOANED AS STATED IN PARAGRAPH 1, SHALL BE MADE BETWEEN ARGENTINA AND PERU PURSUANT TO ARTILCE 4 (SIC) OF THIS AGREEMENT.

ARTICLE III: SHIPMENT OF THE SUPPLIED MATERIAL

1. ALL ARRANGEMENTS FOR THE EXPORT FROM ARGENTINA OF THE SUPPLIED MATERIAL, SHALL BE THE RESPONSIBILITY OF ARGENTINA AND PERU. PRIOR TO THE EXPORTS OF ANY PART OF SUCH MATERIAL, ARGENTINA SHALL NOTIFY THE AGENCY OF THE AMOUNT THEREOF AND OF THE DATE AND METHOD OF SHIPMENT.

2. PRIOR TO SHIPMENT, ARRANGEMENTS FOR THE TIME AND PLACE OF SHIPMENT ACCEPTABLE FOR THE PARTIES TO THIS AGREEMENT (HEREINAFTER CALLED "THE PARTIES") SHALL BE MADE BETWEEN ARGENTINA AND PERU.

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ARTICLE IV: COMPETENCE OF THE PARTIES

EXCEPT AS STATED THE TERMS AGREED UPON IN THIS AGREEMENT IN CONNECTION WITH THE APPLICATION OF SAFEGUARDS TO THE SUPPLIED MATERIAL, ALL OTHER CONTRACTUAL ARRANGEMENTS RELATED TO THE TRANSFER OF THE SAID MATERIAL, ARE EXCLUSIVELY ENCUMBENT TO ARGENTINA AND PERU, AS SAID MAINLY IN THE LETTERS EXCHANGED BETWEEN THOSE COUNTRIES ON MAY 19, 1977.

ARTICLE V: HANDLING AND USE

ARGENTINA AND PERU SHALL TAKE ALL APPROPRIATE MEASURES TO ENSURE SAFE HANDLING AND USE OF THE SUPPLIED MATERIAL. AFTER EXPORT FROM ARGENTINA, THOSE WILL BE THE RESPONSIBILITY OF PERU.

ARTICLE VI: SAFEGUARDS

1. PERU UNDERTAKES THAT THE SUPPLIED MATERIAL, AND ANY SOURCE OR SPECIAL FISSIONABLE MATERIAL PRODUCED THROUGH THE USE OF THE SUPPLIED MATERIAL SHALL NOT BE USED FOR NUCLEAR WEAPONS, FOR RESEARCH ON OR DEVELOPMENT OF NUCLEAR WEAPONS, FOR ANY OTHER MILITARY PURPOSE OR ANY NUCLEAR EXPLOSIVE DEVICE.

2. THE SUPPLIED MATERIAL AND ANY SOURCE OR SPECIAL FISSIONABLE MATERIAL PRODUCED THROUGH ITS USE SHALL BE USED OR STORED UNDER CONDITIONS AND IN FACILITIES ACCEPTABLE TO THE AGENCY. SUCH MATERIAL SHALL NOT BE FURTHER ENRICHED UNLESS SPECIFICALLY PROVIDED BY AN AMENDMENT TO THIS AGREEMENT OR BY A SUBSEQUENT SEPARATE AGREEMENT BETWEEN THE PARTIES.

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3. THE SAFEGUARDS RIGHTS AND RESPONSIBILITIES OF THE AGENCY PROVIDED FOR IN PARAGRAPH A OF ARTICLE XII OF THE STATUTE OF THE AGENCY ARE RELEVANT TO THE OBJECT OF THIS AGREEMENT AND SHALL BE DULY IMPLEMENTED.

4. PERU AND THE UNITED STATES FURTHERMORE SPECIFY THAT THE IMPLEMENTATION OF THE AGENCY'S SAFEGUARDS RIGHTS AND RESPONSIBILITIES REFERRED TO IN PARAGRAPH 3 OF THIS ARTICLE IS SATISFIED BY THE APPLICATION OF SAFEGUARDS PROCEDURES PRUSUANT TO THE TREATY SAFEGUARDS AGREEMENT.

5. IN THE EVENT THE BOARD OF GOVERNORS OF THE AGENCY (HEREINAFTER CALLED THE "BOARD") DETERMINES, IN ACCORDANCE WITH ARTILCE XII.C OF THE STATUTE, THAT THERE HAS BEEN ANY NON-COMPLIANCE WITH ARTICLE VI OF THIS AGREEMENT, THE BOARD SHALL CALL UPON PERU TO REMEDY SUCH NON-COMPLIANCE FORTHWITH, AND THE BOARD SHALL MAKE SUCH REPORTS AS IT DEEMS APPROPRIATE. IN THE EVENT OF FAILURE BY PERU TO TAKE FULLY CORRECTIVE ACTION WITHIN A REASONABLE TIME, THE BOARD MAY TAKE ANY OTHER MEASURES PROVIDED FOR IN ARTICLE XII. C OF THE STATUTE.

6. IN THE EVENT THAT THE AGENCY IS FOR ANY REASON UNABLE TO APPLY SAFEGUARDS UNDER THOS E ARRANGEMENTS MADE FOR THE IMPLEMENTATION OF THE AGENCY'S RIGHTS AND RESPONSIBILITIES REFERRED TO IN PARAGRAPH 3 OF THIS ARTICLE:

- A) THE BOARD MAY CALL FOR THE RETURN OF THE SUPPLIED MATERIAL AND ANY OTHER NUCLEAR MATERIAL REFERRED TO IN PARAGRAPH 1 OF THIS ARTILCE, AND
- B) PERU AND ARGENTINA, FOLLOWING CONSULTATION WITH THE

AGENCY, SHALL IMPLEMENT FORTHWITH MEASURES TO VERIFY COMPLIANCE WITH THE UNDERTAKING SET FORTH IN PARAGRAPH 1 OF THIS ARTICLE.

7. PERU SHALL ACCEPT THE IMPLEMENTATION OF THE SAFEGUARDS REQUIRED BY THIS AGREEMENT AND SHALL FACILITATE

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THE APPLICATION OF SUCH SAFEGUARDS BY THE AGENCY. IF ARGENTINA OR THE UNITED STATES SO REQUEST, PERU SHALL PERMIT THE AGENCY AND THE AGENCY UNDERTAKES TO INFORM ARGENTINA AND THE UNITED STATES OF THE STATUS OF ALL INVENTORIES OF ANY MATERIALS REQUIRED TO BE SAFEGUARDED UNDER THIS AGREEMENT.

ARTICLE VII: SAFETY STANDARDS AND MEASURES
THE SAFETY STANDARDS AND MEASURES SPECIFIED IN ANNEX A TO THIS AGREEMENT SHALL APPLY.

ARTICLE VIII: AGENCY INSPECTORS: SAME TEXT AS ARTICLE IX OF US DRAFT.

ARTICLE IX: SCIENTIFIC INFORMATION

IN CONFORMITY WITH PARAGRAPH A OF ARTICLE VIII OF THE STATUTE OF THE AGENCY, PERU WILL MAKE AVAILABLE TO THE AGENCY WITHOUT CHARGE ALL THE SCIENTIFIC INFORMATION AS IT MAY DEEM APPROPRIATE.

ARTICLE X: LANGUAGE - SAME TEXT AS ARTICLE XI OF US DRAFT.

ARTICLE XI: PHYSICAL PROTECTION

1. PERU UNDERTAKES THAT ADEQUATE PHYSICAL PROTECTION SHALL BE MAINTAINED WITH RESPECT TO THE SUPPLIED MATERIAL AND WITH RESPECT TO ANY SPECIAL FISSIONABLE MATERIAL PRODUCED THROUGH THE USE OF THE SUPPLIED MATERIAL.

2. SAME TEXT AS PARA 2 ARTICLE XII OF US DRAFT.

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3. SAME TEXT AS PARA 3 ARTICLE XII OF US DRAFT.

ARTICLE XII: SYSTEM OF ACCOUNTING

PERU UNDERTAKES TO APPLY A SYSTEM OF ACCOUNTING
AS DESCRIBED IN ANNEX C.

ARTICLE XIII: SETTLEMENT OF DISPUTES - SAME TEXT AS
ARTIEL XIII OF US DRAFT EXCEPT FOR FOLLOWING CHANGES:
PARA 1: QUOTE ARTICLES VI, VII, VIII, X OR XI UNQUOTE
REPLACES QUOTE ARTICLES VII, VIII OR IX UNQUOTE.
PARA 2: IN THE SENTENCE BEGINNING QUOTE THE SAME PRO-
CEDURE SHALL APPLY UNQUOTE, DELTE THE PHRASE QUOTE
DESIGNATED BY EACH PARTY TO THE DISPUTE IS APPOINTMED
PURSUANT TO THE FOREGOING SENTENCE. UNQUOTE. THE NEXT
TO THE LAST SENTENCE SHOULD END AS FOLLOWS: QUOTE
BINDING ON ALL THE PARTIES CONCERNED. UNQUOTE.

ARTICLE XIV: ENTRY INFO FORCE

1. SAME AS US DRAFT

2. NORTHWITHSTANDING THE SUSPENSION OR TERMINATION OF THIS
AGREEMENT FOR ANY REASON, ARTICLES VI, VII VIII, IX, AND XI
SHALL CONTINUE IN EFFECT SO LONG AS ANY MATERIAL SUBJECT
TO THESE PROVISIONS REMAINS IN THE TERRIOTORY OF PERU OR
UNDER ITS JURISDICTION OR CONTROL ANYWHERE OR UNTIL SUCH
TIME AS THE PARTIES AGREE THAT SUCH NUCLEAR MATERIAL IS
NO LONGER USABLE FOR ANY NUCLEAR ACTIVITY RELEVANT FROM
THE POINT OF VIEW OF SAFEFUARDS.

DONE IN VIENA ON DATE OF 1978,
IN QUADRIPLICATE IN THE ENGLISH AND SPANISH LANGUAGES,
BOTH TEXTS BEING EQUALLY AUTHENTIC
FOR THE INTERNATIONAL ATOMIC ENERGY AGENCY;
FOR THE GOVERNMENT OF THE ARGENTINE REPUBLIC;
FOR THE GOVERNMENT OF PERU;
FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA.
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ANNEX A - SAFETY STANDARDS AND MEASURES

PARA 1 OF US DRAFT IS DELTED.

PARA 1 IS SAME AS PARA 2 OF US DRAFT.

2. PERU SHALL ARRANGE FOR THE SUBMISSION TO THE AGENCY,
AT LEAST 30 DAYS PRIOR TO THE PROPOSED TRANSFER OF ANY
PART OF THE SUPPLIED MATERIAL TO THE JURISDICTION OF
PERU, OF A DETAILED SAFETY ANALYSIS REPORT TO THE EXTENT
THAT SUCH INFORMATION IS RELEVANT AND NOT YET AVAILABLE
TO THE AGENCY.

(A) RECEIPT AND HANDLING OF THE SUPPLIED MATERIAL

(B) LOADING OF THE FUEL DELEMENTS INTO THE SUPPLIED REACTOR

(C) UNLOADING OF THE FUEL ELEMENTS FROM THE SUPPLIED REACTOR

(D) HANDLING AND STORAGE OF THE FUEL ELEMENTS AFTER UNLOADING.

ONCE THE AGENCY HAS DETERMINED THAT THE SAFETY MEASURES PROVIDED FOR ARE ADEQUATE, IT SHALL GIVE ITS CONSENT FOR THE START OF THE OPERATION. SHOULD PERU DESIRE TO MAKE

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SUBSTANTIAL MODIFICATIONS TO THE PROCEDURES WITH RESPECT TO WHICH INFORMATION HAS BEEN SUBMITTED, OR TO PERFORM ANY OPERATIONS WITH THE SUPPLIED MATERIAL WITH RESPECT TO WHICH OPERATION NO SUCH INFORMATION HAS BEEN SUBMITTED, IT SHALL SUBMIT TO THE AGENCY ALL RELEVANT INFORMATION ON THE BASIS OF WHICH THE AGENCY MAY REQUIRE THE APPLICATION OF ADDITIONAL SAFETY MEASURES. ONCE PERU HAS UNDERTAKEN TO APPLY THE ADDITIONAL SAFETY MEASURES REQUESTED BY THE AGENCY, THE AGENCY SHALL GIVE ITS CONSENT FOR THE MODIFICATIONS OR OPERATIONS REFERRED TO ABOVE.

3. PERU SHALL ARRANGE FOR SUBMISSION TO THE AGENCY, AS APPROPRIATE, OF THE REPORTS SPECIFIED IN THE SUBSIDIARY AGREEMENTS.

PARA 5 OF US DRAFT IS DELETED.

PARA 6 OF US DRAFT IS DELETED.

ANNEX B

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TEXT IS SAME AS US DRAFT TEXT.

ANNEX C

PERU SHALL ESTABLISH AND MAINTAIN A SYSTEM OF ACCOUNTING FOR AND CONTROL OF ALL NUCLEAR MATERIAL SUBJECT TO THE AGREEMENT, TO BE BASED ON A STRUCTURE OF MATERIAL BALANCE AREAS AND TO INCLUDE SUCH MEASURES AS:

(A) A MEASUREMENT SYSTEM, WHICH CONFORMS TO THE LATEST INTERNATIONAL STANDARDS OR IS EQUIVALENT IN QUALITY TO SUCH STANDARDS, FOR THE DETERMINATION OF THE QUANTITIES OF NUCLEAR MATERIAL RECEIVED, PRODUCED, SHIPPED, LOST OR OTHERWISE REMOVED FROM INVENTORY, AND THE QUANTITIES ON INVENTORY;

(B) THE EVALUATION OF PRECISION AND ACCURACY OF MEASUREMENTS AND THE ESTIMATION OF MEASUREMENT UNCERTAINTY;

(C) PROCEDURES FOR IDENTIFYING, REVIEWING AND EVALUATING DIFFERENCES BETWEEN SHIPPER AND RECEIVER MEASUREMENTS;

(D) PROCEDURES FOR TAKING A PHYSICAL INVENTORY;

(E) PROCEDURES FOR THE EVALUATION OF ACCUMULATIONS OF MEASURED INVENTORY AND UNMEASURED LOSSES;

(F) A SYSTEM OF RECORDS AND REPORTS SHOWING, FOR EACH MATERIAL BALANCE AREA, THE INVENTORY OR MATERIAL AND THE CHANGES IN THAT INVENTORY INCLUDING RECEIPTS INTO AND TRANSFERS OUT OF THE MATERIAL BALANCE AREA;

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(G) PROVISIONS TO ENSURE THAT THE ACCOUNTING PROCEDURES AND ARRANGEMENTS ARE BEING OPERATED CORRECTLY; AND

(H) OTHER SYSTEMS OF MEASUREMENT, CONTAINMENT AND SURVEILLANCE AS ARE NECESSARY TO FACILITATE THE APPLICATION OF SAFEGUARDS. END TEXT DRAFT AGREEMENT.

4. BEGIN TEXT DRAFT NOTE

EXCELLENCY:

I HAVE THE HONOR TO REFER TO THE AGREEMENT BETWEEN THE INTERNATIONAL ATOMIC ENERGY AGENCY AND THE GOVERNMENTS OF ARGENTINA, PERU, AND THE UNITED STATES OF AMERICA, CONCERNING THE TRANSFER OF ENRICHED URANIUM FOR A ZERO POWER REACTOR (HEREINAFTER CALLED THE "AGREEMENT"), EXECUTED ON THIS DATE, TO CONFIRM THE FOLLOWING CONSIDERATIONS:

1. ON THE BASIS OF THE PROVISIONS OF THE AGREEMENT, THE UNITED STATES OF AMERICA IS ASSURED THAT THE GOVERNMENT OF PERU WILL COMPLY IN FULL WITH THE OBLIGATIONS ARISING FROM THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS AND THE GENERAL SAFEGUARDS AGREEMENT DERIVED THEREFROM. THEREFORE, THE GOVERNMENT OF THE UNITED STATES BELIEVES IT IS NOT NECESSARY TO FORESEE IN ITS BILATERAL RELATION WITH PERU THE FULFILMENT OF OBLIGATIONS IN ADDITION TO THOSE ESTABLISHED IN SUCH DOCUMENTS, UNDERSTANDING THAT PERU IS READY TO MAKE AVAILABLE, OF ITS OWN ACCORD OR AT THE REQUEST OF THE UNITED STATES, INFORMATION REGARDING THE PROCESS OF APPLICATION OF SAFEGUARDS BY THE IAEA. LIKEWISE, THE GOVERNMENT OF THE UNITED STATES BELIEVES THAT IT WILL BE NOTIFIED IMMEDIATELY BY THE GOVERNMENT OF PERU OF ANY PROBLEM FOR IMPLEMENTING SUCH SAFEGUARDS IN RELATION TO NUCLEAR MATERIAL OF UNITED STATES ORIGIN.

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AT THE SAME TIME, THE UNITED STATES EXPRESSES ITS INTEREST IN EXECUTING WITH PERU A COMPREHENSIVE AGREEMENT FOR COOPERATION IN THE PEACEFUL USES OF NUCLEAR ENERGY WHICH MAY PERMIT, INTER ALIA, A REGULAR SUPPLY FOR FUTURE RESEARCH REACTORS TO BE INSTALLED IN PERUVIAN TERRITORY.

IN THE SPIRIT SET FORTH ABOVE, THE UNITED STATES RATIFIES TO THE GOVERNMENT OF PERU THE RELEVANT TERMS OF THE JOINT COMMUNIQUE ISSUED ON DECEMBER , 1977, AT THE END OF THE VISIT TO ARGENTINA OF THE SECRETARY OF STATE OF THE UNITED STATES OF AMERICA, WHEREBY THE FULFILMENT OF THE CONTRACTUAL OBLIGATIONS OF ARGENTINA IN CONNECTION WITH THE CONSTRUCTION OF A NUCLEAR RESEARCH CENTER IN PERU WAS FACILITATED BY THE PROVISION OF SPECIAL MATERIAL FOR THE REACTOR TO BE INSTALLED IN THE SAID CENTER, AS WELL AS FOR THE OPERATION OF THE REACTOR, SUBJECT OF THE ABOVEMENTIONED AGREEMENT OF FEBRUARY , 1978.

THE GOVERNMENT OF THE UNITED STATES FULLY BELIEVES
THAT THE GOVERNMENT OF PERU SHARES ITS INTEREST IN EN-
COURAGING UNIVERSAL ACCESSION TO THE TREATY ON THE NON
PROLIFERATION OF NUCLEAR WEAPONS.

IF YOUR EXCELLENCY AGREES WITH THE CONTENTS OF THIS
NOTE, I HAVE THE HONOR TO PROPOSE THAT THIS NOTE AND
THE REPLY OF YOUR EXCELLENCY SHALL CONSTITUTE AN AGREE-
MENT BETWEEN OUR TWO GOVERNMENTS WHICH SHALL REMAIN IN
FORCE FOR THE PERIOD SET FORTH IN ARTICLE 13, PARAGRAPH
2, AS TO CERTAIN POINTS OF THIS AGREEMENT. END TEXT.
SHLAUDEMAN

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